#11 Req for Reconsideration
R. Morgan
3/27/97

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Case No. 823/2.83

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DAVID A. CONNOLLY, ET AL.

Serial No.: 08/328,356 — Examiner Trost

Filed: OCTOBER 24, 1994 — Group Art Unit 2608

For: WIRELESS DIGITAL PERSONAL COMMUNICATIONS SYSTEM HAVING VOICE/DATA/IMAGE TWO-WAY CALLING AND INTERCELL HANDOFF PROVIDED THROUGH DISTRIBUTED LOGIC

RESPONSE

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 24, 1996, Applicants traverse the double patenting rejection of claims 1-102 and request reconsideration. Claims 1-102 were rejected under the doctrine of obviousness type double patenting over claims 1-65 of U.S. Patent No. 5,325,419 (Connolly) in view of U.S. Patent No. 5,260,988 (Schellinger) or U.S. Patent No. 5,428,668 (Dent). Claims 1-65 of Connolly are directed to a wireless digital personal communications system for use with portable handset terminals having distributed logic resident therein. These claims all

include elements that are directed to a personal communication system that includes portable handset terminals. As explained in the specification, "[o]ne of the advantages of PCS is that it will use a single communications device to reach anyone, anytime, anywhere." (Col. 2, Lines 6-8) For example, Claims 1-65 all include elements requiring a means for seeking and determining intercell hand-off from an existing radio cell base station to a second radio cell base station. This element allows a user to move from one radio cell coverage area to another. (Col. 11, Lines 43-48) Accordingly, claims 1-65 are directed to a system useful with portable handset terminals.

Dent discloses the use of a personal communication terminal 120 that interfaces with a low power transceiver for transmitting and receiving via a base station 110. The base station 110 is electrically connected to a public switched telephone network 108. The personal communication terminal 120 also communicates with network cell stations 102 when outside the range of base station 110. As a result, when terminal 120 is within the range 114 of the base station 110 (i.e., in a home or office) a radio link 124 is established therewith. However, terminal 120 communicates through a wide area cellular network 100 when outside the range 114 of the base station 110.

Schellinger discloses a cellular cordless portable radiotelephone 101 that operates in a manner somewhat similar to the disclosure of Dent. The cellular cordless portable radiotelephone 101 has the capability to communicate via a cordless base station 115 which provides a private telephone line